

Nos. 22-5148, 22-5149

UNITED STATES COURT OF APPEALS
FOR THE D.C. CIRCUIT

BLACK ROCK CITY LLC and BURNING MAN PROJECT,
Plaintiffs/Appellants,

v.

DEB HAALAND, in her official capacity as Secretary
of the Department of the Interior, et al.,
Defendants/Appellees.

Appeal from the United States District Court
for the District of Columbia
No. 1:19-cv-03729-DLF (Hon. Dabney L. Friedrich)

APPELLANTS' THIRD UNOPPOSED MOTION
FOR EXTENSION OF BRIEFING SCHEDULE

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Appellants respectfully move the Court under Circuit Rule 27(h) for an approximately 30-day extension of time to file their opening brief in this matter (from March 31, 2023 to April 30, 2023), and for a commensurate extension of the remaining deadlines in the briefing schedule. Appellees do not object to the relief sought by this motion.

In support of this motion, Appellants submit that this 30-day extension of time is necessary for the following reasons:

1. This case has been entered into the Court's mediation program. This extension will give the parties time to further explore whether any disputes between them can be resolved through the mediation process.
2. Five previous extensions of these deadlines have been granted by this Court, which were requested by three unopposed motions filed by Appellees and two unopposed motions filed by Appellants. Granting this extension will not require oral argument to be rescheduled because the Court has not scheduled oral argument in this case.
3. No party opposes the relief sought by this motion.

For these reasons, the United States respectfully asks this Court to extend the deadline to file their brief in this matter by approximately 30 days (from March 31, 2023 to April 30, 2023) and for a commensurate extension of the remaining deadlines in the briefing schedule.

Respectfully submitted,

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/s/ Rafe Petersen

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Dated: March 28, 2023

CERTIFICATE OF COMPLIANCE

1. This brief complies with the type-volume requirements of Federal Rule of Appellate Procedure 27(d)(2) because the motion contains 361 words.
2. This motion complies with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5) and the typestyle requirements of Federal Rule of Appellate Procedure 32(a)(6) because this motion has been prepared in a proportionally-spaced typeface using Microsoft Office Word in 14-point Times New Roman font.

/s/ Rafe Petersen

Rafe Petersen

Attorney for Appellants

Dated: March 28, 2023